

Notice of Allowability

Application No.

10/753,094

Examiner

Erica E. Cadugan

Applicant(s)

KOPRAS ET AL.

Art Unit

3722

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 6/19/06 and interview of 6/26/06.
2. ☒ The allowed claim(s) is/are 1-4,9-18,22-27,29 and 32-35.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 20060626.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Marcus Sprow on June 26, 2006.

The application has been amended as follows:

Claim 15 (Currently Amended). A rotary cutting tool system comprising:
a rotary cutting tool having a housing and a central longitudinal axis; and
a first attachment adapted to be selectively coupled to the housing, the first attachment including a handle portion having a gripping surface provided substantially perpendicular to the central longitudinal axis of the rotary cutting tool when the first attachment is coupled to the housing of the rotary cutting tool;

wherein the rotary cutting tool may be operated in a first mode of operation such that the first attachment is coupled to the housing and a second mode of operation without an attachment coupled thereto wherein the first attachment is removed from the rotary cutting tool;

wherein the first attachment includes a body and a base that may be selectively positioned between an extended position and a retracted position relative to the body, the base [having a generally trapezoidal cross-section and] being coupled to the body by a shaft having a generally trapezoidal cross-section.

Claim 16 (Currently Amended). The rotary cutting tool system of claim 15, further comprising a second attachment adapted to be selectively coupled to the housing and including a handle portion having a gripping surface provided substantially parallel to the central longitudinal axis when the second attachment is coupled to the housing of the rotary cutting tool wherein the rotary cutting tool may be operated in a third mode of operation such that the second attachment is coupled to the housing[and a fourth mode of operation wherein the second attachment is coupled to the rotary cutting tool].

Claim 17 (Currently Amended). The system of claim 15, wherein the body of the first attachment further comprises [a body having] at least two members for selectively coupling the first attachment to the rotary cutting tool.

Claim 26 (Currently Amended). A rotary cutting tool according to claim 25 wherein the body of the first attachment further comprises [a body having] at least two members for selectively coupling the first attachment to the rotary cutting tool.

2. The following is an examiner's statement of reasons for allowance:

In the Office Action (Final Rejection) mailed May 26, 2006, Examiner indicated that claims 7-8, 21, and 31 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. § 112, first and second paragraphs, and to include all of the limitations of the base claim and any intervening claims.

Present claim 1 constitutes claim 7 so rewritten, present claim 15 constitutes claim 21 so rewritten, and present claim 25 constitutes claim 31 so rewritten.

The previous indication of allowable subject matter has not changed, and thus, for at least the foregoing reasoning, these claims are now allowable.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erica E. Cadugan whose telephone number is (571) 272-4474. The examiner can normally be reached on M-F, 6:30 a.m. to 4:00 p.m., alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Monica S. Carter can be reached on (571) 272-4475. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Erica E Cadugan
Primary Examiner
Art Unit 3722

eec
June 28, 2006